



# California Fair Political Practices Commission

October 6, 1989

Barbara Milman  
Staff Counsel  
Assembly Rules Committee  
Senator Hotel  
1121 L Street, Rm. 400  
Sacramento, CA 95814

Re: Your Request for Advice  
Our File No. I-89-572

Dear Ms. Milman:

You have requested confirmation of oral advice provided to you regarding the Political Reform Act (the "Act").<sup>1/</sup> A copy of your incoming letter is attached.

This letter confirms that, in the circumstances you have described, funds received in connection with an interim hearing of the Assembly Education Committee will be considered a gift of funds to the Assembly Rules Committee, and will not be considered either a gift or a contribution to any member of the Assembly, if the funds are received in the manner described in In re Stone 3 FPPC Ops. 52 (copy enclosed).

You have indicated that the Committee hearing has been formally approved by the Assembly Rules Committee. One of the Stone criteria requires that the making and use of the gift be formalized in a resolution embodying the standards set forth in the other criteria. It is not clear from your statement whether this criteria has been met. If not, the Rules Committee should adopt such a resolution.

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<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

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If you have any further questions, please contact me at (916)  
322-5901.

Sincerely,

Kathryn E. Donovan  
General Counsel

A handwritten signature in dark ink, appearing to read "John G. McLean". The signature is written in a cursive, somewhat stylized script.

By: John G. McLean  
Counsel, Legal Division

KED/JGM/aa

Enclosures

89-572

REPLY TO:

- ☐ SACRAMENTO ADDRESS  
STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0001  
(916) 445-7380
- ☐ DISTRICT OFFICES  
7415 EIGLEBERRY, SUITE B  
GILROY, CA 95020  
(408) 848-1461
- ☐ 545 J STREET, SUITE 14  
LOS BANOS, CA 93635  
(209) 826-6100
- ☐ 140 CENTRAL  
SALINAS, CA 93901  
(408) 422-4344

# Assembly California Legislature



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ASSEMBLYMAN, TWENTY-FIFTH DISTRICT  
CO-CHAIR, ASSEMBLY HIGH TECHNOLOGY CAUCUS

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& CONSUMER PROTECTION

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October 3, 1989

Katherine Donovan, General Counsel  
Fair Political Practices Commission  
428 "J" Street, Suite 800  
Sacramento, CA 95814

Dear Ms Donovan:

I am writing to confirm telephone advice you gave me on September 26, 1989. You advised me that the Assembly Rules Committee may accept gifts from private parties to help pay for expenses incurred in an interim committee hearing held in San Diego. In this instance, the funds will be used to pay a public television station that is providing interactive television coverage to the Assembly Education Committee and to agencies from other states with experience or an interest in the subject matter of the hearing. The funds will be given directly to the Assembly Rules Committee, which will contract with the television provider. None of the funds will be used for the personal benefit (such as travel) of any legislator.

The Committee hearing has been formally approved by a vote of the Assembly Rules Committee, which has authority under the Assembly Rules to provide the funds for the hearing.

You have advised me that, under these circumstances, the gift to the Assembly Rules Committee will not constitute either a gift or a contribution to any member of the Assembly.

I would appreciate confirmation of this advice as soon as possible.

Sincerely,

*Barbara Milman*  
BARBARA MILMAN  
Staff Counsel